

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

NADINE PANTON

Petitioner,

-against-

JOSEPH JOSEPH, Superintendent, Bedford  
Hills Correctional Facility

Respondent.

17cv7539 (AT) (DF)

**ORDER**

**DEBRA FREEMAN, United States Magistrate Judge:**

Petitioner Nadine Panton (“Petitioner”), proceeding *pro se*, has brought this habeas proceeding to challenge her state-court conviction. It appears that, at all relevant times, Petitioner has been incarcerated at the Bedford Correctional Facility in Bedford, New York (“Bedford”).<sup>1</sup> In June 2018, this Court stayed these proceedings and held the Petition in abeyance, pending Petitioner’s exhaustion of a claim that she had raised in the state courts, but that had not yet been resolved there. (Dkt. 16.) After that claim was exhausted, Petitioner amended her Petition in November 2019,<sup>2</sup> and Respondent filed an opposition to the Amended Petition on June 1, 2020 (Dkt. 26). On June 29, 2020, Petitioner then informed this Court that, as a result of a facility shut-down resulting from the COVID-19 pandemic, she had been unable to access the law library at Bedford and therefore needed additional time to file a reply. (See Dkt. 29.) After this Court extended the deadline for Petitioner’s filing of a reply to

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<sup>1</sup> See Petition Under 28 U.S.C.A. § 2254 For Writ of Habeas Corpus by a Person in State Custody, dated Sept. 27, 2017 (“Petition” or “Pet.”) (Dkt. 2); *see also* <http://nysdoccslookup.doccs.ny.gov/> (accessed Oct. 1, 2021).

<sup>2</sup> See First Amended Petition Under 28 U.S.C.A. § 2254 For Writ of Habeas Corpus by a Person in State Custody, dated Nov. 6, 2019 (“Amended Petition” or “Am. Pet.”) (Dkt. 18).

September 30, 2020 (*see* Dkt. 30), Petitioner made a second request for an extension, but did not specify how much additional time she was seeking (*see* Dkt. 31). To date – a year after her last request – this Court has received no further correspondence from Petitioner, nor any reply submission, which raises a question as to whether she still wishes to proceed in this Court with her Amended Petition. Under the circumstances, it is hereby ORDERED as follows:

1. Petitioner’s time to file a reply to Respondent’s opposition is extended to **November 12, 2021**. No later than that date, Petitioner is directed either to file her reply or to inform this Court that she no longer wishes to proceed with this action. Petitioner is cautioned that, if the Court does not receive a reply submission, then it may reach a determination of her habeas claims based solely on the Amended Petition itself and on Respondent’s submission in opposition.

2. Although, as noted above, it appears from public sources that Petitioner is still incarcerated at Bedford, Petitioner is also cautioned that, if she wishes to proceed with this action, she must keep the Court apprised of any change in the address at which she may be reached.

3. Any submission that Petitioner seeks to make in response to this Order should be mailed to the Court’s *Pro Se* Office, at the following address:

*Pro Se* Intake Unit  
U.S. Courthouse  
500 Pearl Street  
New York, New York 10007

4. The Clerk of Court is directed to mail a copy of this Order to Petitioner at the address reflected on the Docket and shown below.

Dated: New York, New York  
October 1, 2021

SO ORDERED



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DEBRA FREEMAN  
United States Magistrate Judge

Copies to:

Ms. Nadine Pantou  
DIN No. 11-G-0022  
Bedford Correctional Facility  
247 Harris Road  
Bedford, New York 10507-2400

Respondent's counsel (via ECF)